

IN THE HIGH COURT OF PUNJAB AND HARYANA AT
CHANDIGARH

CR No.7802 of 2015
Date of decision: 20.11.2015

Kuldeep Kaur

... Petitioner

Versus

Jatinder Kumar and others

... Respondents

CORAM: HON'BLE MR. JUSTICE ARUN PALLI

Present: Mr. KBS Mann, Advocate, for the petitioner.

1. Whether reporters of local papers may be allowed to see the judgment?
2. To be referred to the reporters or not?
3. Whether the judgment should be reported in the digest?

ARUN PALLI J. (Oral)

Vide order being assailed, dated 05.08.2015, rendered by Rent Controller, Khanna, application moved by the landlord-respondent to permit the building expert to inspect the demised premises was allowed. The conclusion arrived in this regard reads as thus:

“Having heard the learned counsel for the parties, I am of the opinion that application deserves to be allowed. The petitioner has taken the ground of the demised premises being unfit and unsafe for human habitation and it is one of the grounds of eviction. If the contention of the counsel for respondents is believed that respondents no.2 & 3 have no concern with the property in dispute, then they should

have no objection to the inspection of the same by the Building Expert. Moreover, the report of Building Expert will help this court in the proper adjudication of the matter. As such, the application stands allowed and respondents no.1 to 3 are directed to allow the Building Expert to inspect the property in dispute.”

Concededly, eviction of the petitioner is being claimed on account of building in question being unfit and unsafe for human habitation. Therefore, the landlord in order to substantiate his claim intended to examine a Building Expert and submit a report, which could only be possible, if he was given access to the demised premises. That being so, the Rent Controller has rightly exercised its discretion.

No ground is made out to interference with the order being assailed, in exercise of revisional jurisdiction. Petition being devoid of merit is accordingly dismissed.

November 20, 2015
Rajan

(Arun Palli)
Judge